

SPECIAL BOARD OF ADJUSTMENT NO. 355

Parties:

THE ORDER OF RAILROAD TELEGRAPHERS  
THE BALTIMORE AND OHIO RAILROAD COMPANY

AWARD NO. 33/2  
CASE NO. 33  
ORT. NO. 2940

AWARD IN DOCKET NO. 33/2

STATEMENT  
OF CLAIM:

1. Carrier violated the agreement between the parties hereto when on October 21, 22 and 29, 1958, it caused, required and permitted section foremen, employees not covered by the Telegraphers' Agreement, to handle, receive, copy and deliver track car line ups (Forms 1089-D) at Mile Post 57 plus 20 poles on the Cowen Sub-Division of the Monongah Division, which work was and is reserved solely to employees covered by the Telegraphers' Agreement.
2. Carrier be required to compensate the following named operators pay for one day (8hours) on each date listed above because of said violations:

October 21, 1958	F. A. Francis
October 22, 1958	H. G. Boord
October 29, 1958	D. E. Hunter

FINDINGS:

Calls involved in this claim were made from Mile Post 57 plus 20 poles on the Cowen Subdivision of the Monongah Division on three separate dates.

Crawford, at Mile Post 57 plus 9 poles, is the headquarters of the section foreman.

A two-trick telegraph office was located at Crawford subsequent to 1928, but it has been closed for many years. No calls were made from this point.

Mile Post 57 plus 20 locates east of the east switch at Crawford, and is a location at which operators were never employed.

Consequently, the claim in Docket 33/2 (October 21, 22 and 29, 1958) must and will be denied.

A W A R D

Claim denied.

/s/ Edward A. Lynch  
Edward A. Lynch  
Chairman

/s/ B. N. Kinkead  
B. N. Kinkead    Dissenting  
Employee Member

/s/ T. S. Woods  
T. S. Woods  
Carrier Member

Dated at Baltimore, Md.,  
this 20th day of February, 1962.